

REMARKS

The present Amendment and Response is submitted in response to the Office Action dated April 9, 2004. In the Office Action, the Examiner has allowed claims 26-27 and rejected claims 1-25.

Applicant has canceled claims 1-25.

Original claim 27, which was allowed, contained an inadvertent typographical error. In paragraph (d) of claim 27, "tested reception characteristic" has been changed to "tested transmission characteristic." Applicant respectfully submits that this is not a claim-narrowing amendment related to patentability.

Claims 28-40 have been added. Applicant respectfully submits that claims 28-40 are not anticipated by the cited references. More particularly, Meredith et al., U.S. Patent No. 6,052,605 (hereinafter referred to as "Meredith") describes a "base site" with a "modular radio signal scanning and targeting system." See Col. 4, lines 4-8 and Fig. 1. Furthermore, nothing whatsoever in Meredith discloses switchably connecting one of the antennas to a "receiver" or "means for receiving" based upon a "bit error rate" as recited in independent claims 28 and 34. None of the other cited references, whether considered singly or in combination, teaches or suggests the features recited in claims 28 and 34. Therefore, claims 28 and 34 are allowable over the cited references.


Because claims 29-33 and 35-40 are dependent from claims 28 and 34, respectively, they are allowable over the cited references for at least the same reasons stated above with respect to claims 28 and 34.

CONCLUSION

For all the foregoing reasons, allowance of outstanding claims 26-41 is respectfully requested. If you have any questions or concerns regarding this matter, please do not hesitate to call the undersigned at the telephone number listed below.

Respectfully Submitted;

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Lee Hsu, Esq.
Reg. No. 39,716

Lee Hsu, Esq.
KYOCERA WIRELESS CORP.
Attn: Patent Department
P.O. Box 928289
San Diego, CA 92192-8289
Tel: (858) 882-1950
Fax: (858) 882-2485